## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re	e Application of:	Art Unit: 1637
FRES	KGARD, et al.	Examiner: BABIC, C.
Seria	al No.: 10/518,056	Washington, D.C.
File	d: October 3, 2005	Date: October 27, 2009
For:	MICROARRAYS DISPLAYING ENCODED MOLECULES	Docket No.: FRESKGARD=8
	ENCODED MOLECULES	Confirmation No.: 8250
	NOTICE OF APPEAL FROM TO THE BOARD OF PATENT AP	
Custo Rando 401	Patent and Trademark Office omer Service Window olph Building, Mail Stop AF Dulany Street andria, VA 22314	
leas	Applicant hereby appeals rferences from the final rejection the second time), dated May 27 ms appealed are 1-5, 7, 12, 15, 16	to the Board of Patent Appeals and on the rejection of claims for at <u>2009</u> of the Primary Examiner. The <u>5, 18, 19, 21-23 and 25-38</u> .
	The item(s) checked below a	re appropriate:
XX_	Small entity status of this application under 37 CFR 1.9 and 1.27 has been previously asserted.	
***********	Applicant claims small entity status. See 37 CFR 1.27.	
XX_	The fee has been calculated as shown below:  \$540.00  XX \$270.00 (small entity)  Not required (fee paid in prior appeal)	
<u>XX</u> _	Conditional Petition for Extension of Time If any extension of time for a response is required applicant requests that this be considered a petition therefor.	
XX Applicant hereby petitions for an extension of 37 CFR 1.136(a). The appropriate fee requalculated as shown below:		n extension of time in accordance with ate fee required by 37 CFR 1.17 is
	Response filed within: first - \$ 65.00 XX second - \$245.00 third - \$555.00 fourth - \$865.00 month after time period set	Response filed within: first - \$ 130.00 second - \$ 490.00 third - \$1,110.00 fourth - \$1,730.00 month after time period set.
	Less fees (\$ ) alre	eady paid for month(s) extension
Beneville and the second	Check number in the amour	at of \$ is attached.
<u>XX</u> _	Attached is Credit Card Authoriza	tion authorizing payment in the amount

USSN - 10/518,056

- XXPlease charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.
- The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue and publication fees under 37 CFR Section 1.18.

Respectfully submitted,

BROWDY AND NEWMARK, P.L.L.C. Attorneys for Applicant (s)

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